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March 19, 2008

Honorable Elizabeth D. Laporte
United States District Court
Northern District of California
450 Golden Gate Avenue
San Francisco, CA 94102

Re: *United States v. Damien Sexton*, CR. 07-0742 (EDL)
Request to Excuse Defendant's Personal Appearance at the April 1,
2008 Hearing

Dear Judge Laporte:

I represent Mr. Damien Sexton, who is charged with two misdemeanor counts in the above-entitled matter. Our next appearance, which is specifically designated to address discovery matters, is scheduled for April 1, 2008. At this hearing the parties may also set the matter for trial.

I am writing to request that Mr. Sexton be excused from personally appearing at this hearing. The reason for this request is that Mr. Sexton lives in New Jersey, and it would create a financial hardship for him to travel to San Francisco for the April 1st hearing, both in terms of the cost of travel and lost employment. If Mr. Sexton's appearance can be excused on April 1, 2008, immediately following that hearing Mr. Sexton can acknowledge, in writing, any trial dates and his understanding that he is required to appear for trial. We would file this acknowledgement with the Court and provide it to the prosecution, forthwith.

My office has spoken with Allison Danner, the Assistant United States Attorney assigned to this case, and she has informed us that she does not object to this request.

Thank you for your consideration of this matter.

Yours truly,

/s/ William L. Osterhoudt
WILLIAM L. OSTERHOUDT,
Attorney for Damien Sexton

cc: AUSA Allison Danner